



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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HEIDI TSUNEYOSHI
TOMMY WATERS

JOURNAL

REGULAR MEETING
16TH SESSION
WEDNESDAY, SEPTEMBER 4, 2019

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ikaika Anderson, at 10:14 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Elefante, Fukunaga, Kobayashi, Manahan, Menor, Pine, Waters, Anderson – 8.

Excused: Tsuneyoshi – 1.

INTRODUCTION OF GUESTS

Councilmember Manahan introduced the Honorable Roque S. Verzosa, Jr., the Mayor of Tagudin Ilocus Sur in the Philippines. Councilmember Manahan noted how proud he was that one of his ancestors Manuel Manahan, was a former Senator in the Philippines. He also recognized Edgar Fernandez, President of the Hawaii Tagudinians Association.

APPROVAL OF MINUTES

Councilmember Kobayashi moved that the Minutes of the 14th and 15th Sessions be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Fukunaga.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTION **RESOLUTION 19-184**

RESOLUTION CONFIRMING THE APPOINTMENT OF MARC E. DEXTER TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Chair Anderson referred Resolution 19-184 to the Committee on Public Safety and Welfare for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

PUBLIC HEARING/RESOLUTION **RESOLUTION 19-185**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRISTOPHER A. DACUS TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Sharlene Chun-Lum (M-553) (Oppose)
2. Jeanne Ishikawa, Deputy Director, Department of Parks and Recreation (Support)

Chair Anderson referred Resolution 19-185 to the Committee on Parks, Community Services and Intergovernmental Affairs for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-553 Additional testimony on Resolution 19-185

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-186

RESOLUTION CONFIRMING THE REAPPOINTMENT OF RICKY H. TANIGUCHI TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Jeanne Ishikawa, Deputy Director, Department of Parks and Recreation (Support)

Chair Anderson referred Resolution 19-186 to the Committee on Parks, Community Services and Intergovernmental Affairs for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-554 Additional testimony on Resolution 19-186

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-200

RESOLUTION CONFIRMING THE APPOINTMENT OF MS. EILEEN AKI MARCEAU TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Eileen Aki Marceau (General comment)
2. Timothy Hiu, Deputy Director, Department of Planning and Permitting (Support)

Chair Anderson referred Resolution 19-200 to the Committee on Zoning, Planning and Housing for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communications:

M-531 Early testimony on Resolution 19-200
M-555 Additional testimony on Resolution 19-200

PUBLIC HEARING/RESOLUTION **RESOLUTION 19-201**

RESOLUTION CONFIRMING THE APPOINTMENT OF MR. BRIAN LEE TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Ryan Kobayashi, Hawaii Laborers Union Local 368 (M-556) (Support)
2. Brian Lee (General comment)
3. Timothy Hiu, Deputy Director, Department of Planning and Permitting (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-301 and CC-302).

Chair Anderson referred Resolution 19-201 to the Committee on Zoning, Planning and Housing for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communications:

M-532 Early testimony on Resolution 19-201
M-556 Additional testimony on Resolution 19-201

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-202

RESOLUTION CONFIRMING THE APPOINTMENT OF MR. KEN K. HAYASHIDA TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Chair Anderson referred Resolution 19-202 to the Committee on Zoning, Planning and Housing for further consideration.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
 TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communication:

M-550 Early testimony on Resolution 19-202

At this juncture, there being no objections from the 9 members present, the Chair considered Bill 39, CD1 on page 7 of the agenda.

PUBLIC HEARING/SECOND READING
BILL 39, CD1 – COMMITTEE REPORT 272

A BILL FOR AN ORDINANCE ESTABLISHING A PROGRAM FOR EXTENDED LIFEGUARD SERVICES WITHIN THE DEPARTMENT OF EMERGENCY SERVICES.

Councilmember Waters moved that Committee Report 272 be adopted and Bill 39 pass second reading, as amended to CD1. Seconded by Councilmember Tsuneyoshi.

The following individuals testified:

1. Mel Puu (Support)
2. Jason C. Bitzer (M-537) (Support)
3. Aka Tamashiro (M-537) (Support)
4. John Hoogsteden (M-537) (Support)
5. David Loui (Support)
6. Ralph Goto, United States Lifesaving Association (M-537) (Support)
7. Jared Jovero (M-561)
8. Joy Kuwahara, Hawaii Government Employees Association (M-561) (Support)
9. Timothy Garry (Support)
10. Sharlene Chun-Lum (General comment)
11. Bumpy Kanahele (Support)
12. Barbra Armentrout (Support)
13. Kaiulani Bowers (Support)
14. Archie Kalepa (Support)
15. Natalie Iwasa (General comment)
16. James Manaku, Sr. (General comment)
17. Brian Keaulana (Support)

In response to Councilmember Pine, Mr. Keaulana stated that it has been a dream to have longer hours because people can drown at any hour of the day.

18. Mark Cunningham (Support)
19. Tanner Haytin (Support)

In response to councilmembers, James Howe, Director, Honolulu Emergency Services Department (HESD) stated that:

- The Department is in support of the measure and does not want to degrade the current level of services that are currently being provided.
- As noted in Committee, the Department is working to extend lifeguard services.
- HESD would like to discuss the measure further and clarify some issues when the Bill goes back to Committee.

Councilmember Waters stated that Oahu has the best lifeguards in the world and if they say the measure is needed, the Council should listen to them. He noted that he would like to work with the Budget Chair to find a way to pay for the extra costs. Councilmember Waters asked his colleagues to support the measure.

Councilmember Tsuneyoshi stated her support on the measure and that she appreciates what is being done to ensure public health and safety for residents and tourists. She noted that she looks forward to quick implementation of the program once the Bill is passed.

Councilmember Elefante voiced his support of the Bill.

Councilmember Pine stated her support of the measure. She thanked Councilmember Waters for giving the lifeguards an opportunity to share their experience and how important it is for them. Councilmember Pine shared that her mom was saved by a lifeguard. She noted that the City would save money upon implementation of the program.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-303)

Committee Report 272 was adopted and Bill 39, CD1 passed second reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communications:

M-537 Early testimony on Bill 39, CD1
M-561 Additional testimony on Bill 39, CD1

The Council Chair returned to the agenda order.

PUBLIC HEARING/SECOND READING
BILL 42 – COMMITTEE REPORT 246

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 18-39.

Councilmember Manahan moved that Committee Report 246 be adopted and Bill 42 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Natalie Iwasa (M-557) (Oppose)
2. Sharlene Chun-Lum (M-557) (Oppose)

3. Calvin Hulihee (General comment)
4. Roy Nakamura (General comment)

Councilmember Waters stated for the record that he supports the measure with reservations.

RECESS/RECONVENE

At 11:37 a.m., the Chair called for a short recess and reconvened the meeting at 11:38 a.m.

Councilmember Tsuneyoshi voiced her opposition to the Bill. She stated that she continues to vote no on these matters and has concerns on the financial implications to the City and the Recovery Plan.

Committee Report 246 was adopted and Bill 42 passed second reading.

AYES: ELEFANTE, MANAHAN, MENOR, PINE, WATERS*, ANDERSON – 6.
NOES: FUKUNAGA, KOBAYASHI, TSUNEYOSHI – 3.

*Councilmember Waters voted aye with reservations.

Related communications:

M-533 Early testimony on Bill 42
M-557 Additional testimony on Bill 42

PUBLIC HEARING/SECOND READING **BILL 43 – COMMITTEE REPORT 247**

A BILL FOR AN ORDINANCE RELATING TO TRANSPORTATION SHARING COMPANIES.

Councilmember Manahan moved that Committee Report 247 be adopted and Bill 43 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Daniel Alexander, Hawaii Bicycling League (M-558) (General comment)

2. Todd Boulanger, Bikeshare Hawaii – Biki (M-558) (General comment)

At 11:44 a.m., Chair Anderson switched places with Vice-Chair Kobayashi, who assumed the duties of the Chair.

3. Barbra Armentrout (General comment)
4. Winston Welch, The Outdoor Circle (Support)
5. Bryan Mick, Disability and Communication Access Board (General comment)
6. Sharlene Chun-Lum (General comment)
7. Natalie Iwasa (General comment)
8. James Madison (Oppose)
9. Dave Moskowitz (General comment)

In response to Chair Anderson, Jon Nouchi, Deputy Director, Department of Transportation Services stated that:

- The City and the State, in terms of cash, both donated \$1 million towards the start-up of Biki.
- Biki utilizes approximately 30 metered parking stalls and the City does not get any revenue from those stalls.
- The Department of Design and Construction funds Complete Streets initiatives.

Chair Anderson asked his colleagues to support the measure. He noted his support of Biki, bike sharing and additional modes of public transportation. Chair Anderson stated that there should be discussion on fees, noting that the service should not be free.

Councilmember Manahan spoke in support of the measure. He noted that Biki can do social justice programs and equity programs, and give cards to lower income residents.

Councilmember Elefante stated his support of the measure and moving it back to Committee.

Councilmember Waters stated his support of the measure with reservations. He noted that he encourages Biki to provide financial information to the Budget Committee during Budget process.

Chair Anderson noted that the Executive Director of Biki offered to meet with him and he will be doing that soon.

At 12:04 p.m. Councilmember Kobayashi called for a short recess and returned to her seat. Chair Anderson assumed his role of Presiding Officer and reconvened the meeting at 12:05 p.m.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-286).

Committee Report 247 was adopted and Bill 43 passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, PINE,
TSUNEYOSHI, WATERS*, ANDERSON – 9.
NOES: None.

*Councilmembers Menor and Waters voted aye with reservations.

Related communications:

M-534 Early testimony on Bill 43
M-558 Additional testimony on Bill 43

PUBLIC HEARING/SECOND READING
BILL 44 – COMMITTEE REPORT 248

A BILL FOR AN ORDINANCE RELATING TO SHARED MICROMOBILITY VEHICLES.

Councilmember Manahan moved that Committee Report 248 be adopted and Bill 44 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Daniel Alexander, Hawaii Bicycling League (M-559) (General comment)
2. Dave Moskowitz (General comment)
3. Todd Boulanger, Biki (M-559) (General comment)

In response to councilmembers, Mr. Boulanger stated that:

- In 2014 when the City Department of Planning and Permitting was working on the report, they realized the City did not have \$10 to \$12 million to fund this project so they suggested a non-profit be set up to administer the contract and hire a for profit operator. The City wanted accountability and

some community benefit so they recommended a non-profit with the non-profit hiring an operator with experience. Secure Bike is the company that was chosen through a Request for Proposal. They have the skillset to do all the maintenance and customer service.

- Biki has a contract for an initial five-year period and then there is a second five-year period on a month-to-month extension. Biki's job is to enforce the contract and manage the for profit operator.
- Biki is a non-profit organization. Its Board of Directors are all local businessmen, corporate officers of local business who all reside with the City and County of Honolulu.
- Secure invested the initial \$4.5 to \$5 million and the initial hundred stations and thousand bikes as their investment. The fare revenue goes to Secure for maintenance, operations and to pay off the initial debt.
- All Biki bicycles were registered with the City and County of Honolulu within seven days.
- Resolution 17-327 approved a gift to the City of \$400,000 from Biki.
- All of the City permits for street space are on a 6-month basis and at every 6-month period, they have been renewed unless there is a construction impact or other change.
- Biki has been in operation in the City and County of Honolulu since June 28, 2017. The establishment of the low-income fare has been a trend in the United States and is not included in Biki's contract with the City.
- In August 2019, Biki started a low-income fare for those who provide an identification letter or EBT material. The \$10 fare covers a 30-minute ride as often as you want for the month. The regular Kamaaina rate is \$15.
- Biki did not increase the Kamaaina rates. They increased the walk-up rate from \$3.50 to \$4 a ride.
- There is still over \$2 million in Federal funds for bikeshare expansion and Biki would like some of that to come back to Hawaii. The City contract requires Biki to keep any grant funded public equipment within the service area and meet certain maintenance requirement and certain reporting requirement.

4. Barbra Armentrout (General comment)
5. Roy Nakamura (General comment)
6. Winston Welch, The Outdoor Circle (Oppose)

In response to Councilmember Pine, Mr. Welch stated that he would like to work with the Council on advertisements on the bikes because there is a loophole that allows ads on vehicles as long as it is not for their primary source of income. He noted that he is very supportive of the Biki system and would like to see Complete Streets and safe streets for bikers.

7. Bryan Mick, Disability and Communication Access Board (General comment)
8. Sharlene Chun-Lum (Oppose)
7. Natalie Iwasa (General comment)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-285).

Committee Report 247 was adopted and Bill 44 passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

*Councilmember Menor voted aye with reservations.

Related communications:

D-612	Department of Transportation Services
D-625	Department of Transportation Services
M-535	Early testimony on Bill 44
M-559	Additional testimony on Bill 44

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 19-196 on page 14 of the agenda.

ADOPTION

RESOLUTION 19-196, FD1 – COMMITTEE REPORT 258

RESOLUTION SUPPORTING THE GOVERNOR'S EFFORTS TO INTERVENE BETWEEN NA POE KOKUA, THE HAWAII FAIR LENDING COALITION, AND THE BANK OF AMERICA TO REACH A SETTLEMENT AGREEMENT RELATING TO A \$150 MILLION LOAN COMMITMENT FOR NATIVE HAWAIIANS ON HAWAIIAN HOME LANDS.

The following amendment was posted on the agenda:

Resolution 19-196, Proposed FD1

Councilmember Menor moved that Committee Report 258 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Menor moved that the Resolution be amended to FD1. Seconded by Councilmember Fukunaga. The FD1 makes the following amendments:

- A. Adds the standard phrase "now, therefore," at the end of the last WHEREAS clause as a technical and nonsubstantive amendment.
- B. Makes additional miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

- 1. Dennis Bumpy Kanahele, Nation of Hawaii (Support)
- 2. Brandon Makaawaawa, Na Po'e Kokua (M-565) (Support)

Chair Anderson stated that the Resolution is the Council's effort to join the Kauai County Council, Maui County Council and Hawaii County Council who have all authorized and passed similar resolutions asking the Council's support of the State of Hawaii's effort to hold Bank of America accountable for the promises they made to the Department of Hawaiian Home Lands and the native Hawaiian people. He asked councilmembers to support the measure.

Councilmember Pine stated her support of the measure. She noted that the Council should file their own lawsuit on behalf of the residents and City and County of Honolulu. Councilmember Pine stated that she would like further discussions.

Councilmember Menor stated his support of the Resolution. He expressed the hope that adoption of the Resolution will move the Attorney General's Office to find a legal basis to initiate litigation. Councilmember Menor asked his colleagues for their support of the measure.

Resolution 19-196 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Committee Report 258 and Resolution 19-196, FD1 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communications:

M-543 Early testimony on Resolution 19-196
M-565 Additional testimony on Resolution 19-196

RECESS/RECONVENE

At 1:03 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Fukunaga, Pine, Waters – 3), the Chair reconvened the meeting at 1:56 p.m.

At this juncture, there being no objections from the 7 members present (Absent: Fukunaga, Pine – 2), the Chair considered Resolution 19-191, CD1 on page 18 of the agenda.

ADOPTION

RESOLUTION 19-191, CD1, FD1 – COMMITTEE REPORT 253

RESOLUTION APPROVING AN EXPENDITURE FROM THE CLEAN WATER AND NATURAL LANDS FUND TO ACQUIRE A PERPETUAL CONSERVATION EASEMENT ON TWO PARCELS, TAX MAP KEYS: 4-9-003: 003 AND 004, IN KANEOHE, OAHU, HAWAII.

The following amendment was posted on the agenda:

Resolution 19-191, Proposed FD1

Councilmember Manahan moved that Committee Report 253 and Resolution 19-191, as amended to CD1, be adopted. Seconded by Councilmember Elefante.

Councilmember Manahan moved that the Resolution be amended to FD1. Seconded by Councilmember Elefante. The FD1 makes the following amendments:

1. Replaces a hard-to-read Exhibit A with a new easier-to-read Exhibit A.
2. In the 5th WHEREAS clause, amends the word “red” to read “bold formatting” since the transmitted map is in black and white.
3. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Reyna Ramolete Hayashi, Aloha Aina Project Manager, The Trust for Public Land (Support)
2. Kahiau Wallace, Ho‘āla ‘Āina Kūpono (Support)
3. Makana Reilly, Hawaiian Islands Land Trust (M-545) (Support)
4. Londa Fukumitsu (M-567) (Support)
5. Teahiroa Fukumitsu (Support)
6. Navahine Fukumitsu (Support)
7. Kamakani Fukumitsu (Support)
8. Kamana‘o Mills (Support)

Councilmember Tsuneyoshi thanked Chair Anderson for moving the Resolution up. She expressed her sincere appreciation to everyone who has been and continues to be involved in the project to support the land and resources. Councilmember Tsuneyoshi thanked the family and the keiki for testifying today.

Resolution 19-191, CD1 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: PINE – 1.

Committee Report 253 and Resolution 19-191, CD1, FD1 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: PINE – 1.

Related communications:

M-545 Early testimony on Resolution 19-191, CD1

M-567 Additional testimony on Resolution 19-191, CD1

The Council Chair returned to the agenda order.

PUBLIC HEARING/SECOND READING
BILL 25, CD1 – COMMITTEE REPORT 266

A BILL FOR AN ORDINANCE RELATING TO THE ADOPTION OF THE STATE ENERGY CONSERVATION CODE.

Councilmember Menor moved that Committee Report 266 be adopted and Bill 25 pass second reading, as amended to CD1. Seconded by Councilmember Waters.

The following individuals testified:

1. Howard Wiig, Hawaii State Energy Office (M-536) (Support)
2. Alicia Moy, Hawaii Gas (M-536) (Oppose)

In response to Councilmember Pine, Ms. Moy stated that:

- Hawaii Gas is waiting for the City to issue a Request for Proposal to be able to expand to different City plants.
- The City wanted to see if Honouliuli would be a good project and if it would be successful and it has been working. Hawaii Gas is looking forward to using this project as a blueprint to move forward and accelerate faster.
- Hawaii Gas could supply 100 percent of homes that use gas for energy.

- If the Bill passes, residents would not be allowed to install gas water heaters in their home and; therefore, would not have access to renewable natural gas in the pipeline.
3. Nathaniel Kinney, Hawaii Construction Alliance (M-536) (Oppose)
 4. Zoe Williams (M-536) (Oppose)

In response to councilmembers, Ms. Williams stated that:

- At this point, renewable energy is not reliable enough to count on post-disaster.
 - The hope is that one day technology is stable and solid enough that conventional fuels will not be needed but until then, diversity is needed for recovery when a storm hits.
 - Limiting choices for homeowners will undermine the demand for alternative fuel companies and the City will not be sustainable. The benefits will diminish without a customer base to continue with natural gas and propane.
5. Jeff Mikulina, Blue Planet Foundation (M-536) (Support)
 6. David Arakawa, Land Use Research Foundation of Hawaii (Oppose)
 7. Katherine Kupukaa (Oppose)
 8. Marshall Hickox, Building Industry Association (M-560) (Oppose)
 9. Caleb Sun (M-560) (Oppose)
 10. Sandie Wong, Telsa (M-536) (Support)

In response to Councilmember Menor, Ms. Wong stated that the data shows that this is the wave of the future. A conduit needs to be installed to be ready for advances in chargers. If it is EV charger ready and there is a change in technology, it would not make a difference.

11. Anthony Borge, RMA Sales (M-536) (Oppose)
12. Chris Delaunay, Pacific Resource Partnership (M-560) (General comment)
13. Bo Vosike, Zurier (M-560) (General comment)
14. Dyson Chee (Support)
15. Representative Chris Lee (Support)

In response to Councilmember Pine, Representative Lee stated that:

- Elected leaders all share the same concerns regarding affordability, cost of living, and building a future for our children.

- A couple of years ago, a fund was created to help pay for some of the upfront costs so it would not be an additional cost the developer would be pass down to the consumer.

16. Joshua Stanbro, Chief Resilience Officer and Executive Director, Office of Climate Change Sustainability and Resiliency (MM-113) (General comment)

In response to Councilmember Waters, Executive Director Stanbro stated that we do want a diversity of sources. There are resilience benefits on both sides. The newer gas water heaters require electricity for the pilot and for the controller to kick in to make it efficient. In a disaster scenario, having water is critical and the most important element to have around to be able to boil and use, and electricity would still be required.

17. Todd Boulanger (General comment)

In response to Councilmember Fukunaga, Timothy Hiu, Deputy Director, Department of Planning and Permitting (DPP) stated that:

- The DPP had numerous meetings and conducted outreach for public input. They met with Hawaii Gas to discuss the energy bill. Various meetings were held with representatives of various segments of the industry.
- The DPP had some revisions incorporated into the Code which were minor but important enough to be included in the proposal.
- The DPP can provide a summary to the Council on their outreach efforts at community meetings.

Councilmember Elefante noted for the record that he filed Disclosure of Interest Statements with the City Clerk's Office (CC-254, CC-255, CC-256, CC-289, CC-290).

Committee Report 266 was adopted and Bill 25, CD1 passed second reading, as amended.

AYES: ELEFANTE, FUKUNAGA*, KOBAYASHI*, MANAHAN, MENOR, PINE*, TSUNEYOSHI*, WATERS, ANDERSON – 9.

NOES: None.

*Councilmembers Fukunaga, Kobayashi, Pine, and Tsuneyoshi voted aye with reservations.

Related communications:

D-621 Climate Change Commission
M-536 Early testimony on Bill 25, CD1
M-560 Additional testimony on Bill 25, CD1

PUBLIC HEARING/SECOND READING
BILL 41, CD1 – COMMITTEE REPORT 267

A BILL FOR AN ORDINANCE TO ADOPT THE REVISED CENTRAL OAHU SUSTAINABLE COMMUNITIES PLAN FOR THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 267 be adopted and Bill 41 pass second reading, as amended to CD1. Seconded by Councilmember Waters.

There was no public testimony.

Committee Report 267 was adopted and Bill 41, CD1 passed second reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
 TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

(Note: Earlier in the meeting, Committee Report 272 was adopted and Bill 39, CD1 passed second reading, as amended. See page 5.)

PUBLIC HEARING/SECOND READING
BILL 40, CD1 – COMMITTEE REPORT 273

A BILL FOR AN ORDINANCE RELATING TO PLASTIC.

Councilmember Waters moved that Committee Report 273 be adopted and Bill 40 pass second reading, as amended to CD1. Seconded by Councilmember Tsuneyoshi.

The following individuals testified:

1. Suzanne Frazer, B.E.A.C.H. (M-538) (Support)

2. Lauren Zirbel, Hawaii Food Industry Association (M-538) (General comment)

In response to councilmembers, Ms. Zirbel stated that:

- The hope is that the costs would go down as the economy of scale grows. Prices have not decreased to the point that they hoped, but may in the future.
- She saw some spreadsheets done by restaurant associations in California that still show a 3 to 4 percent increase.
- The Hawaii Food Industry Association would be willing to participate in the working group put together by the State.
- They asked for a tax credit for businesses trying to achieve zero waste certification. The zero waste program is currently being worked on and she stated that in order for businesses to be able to do that, they would need to work with the City on beneficial reuse because there are not many options available.
- It would be nice if there were a place to send each type of material for beneficial reuse or recycling.
- If you purchase a material that is more expensive than what you are using, it increases your packaging cost which increases the cost of the plate lunch for the consumer.
- The entire industry is searching for alternatives to plastic and that is something that all of the major companies are behind.

3. Denise Boisvert (M-538) (Support)

4. Rafael Bergstrom, Sustainable Coastlines Hawaii (M-538) (Support)

5. Dean Otsuki (M-538) (Support)

6. Keone Kealoha, Kanu Hawaii (M-538) (Support)

7. Victor Lim, Hawaii Restaurant Association (M-562) (Oppose)

In response to Councilmember Elefante, Mr. Lim stated that there are no incentives at the moment to bring your own reusable container to restaurants but in another two or three years it could be something to consider.

8. Jennifer Milholen, Kōkua Hawai'i Foundation (M-562) (Support)

9. Katherine Kupukaa (Oppose)

10. Adrian Hong, Island Plastic Bags (M-562) (Oppose)

11. Joy Gold, KYD (M-562) (Oppose)
12. Hideki Kimukai (Support)
13. Dyson Chee (M-562) (Support)
14. Tenaiya Brookfield (Support)
15. Kahi Pacarro (General comment)
16. Winston Welch, The Outdoor Circle (Support)
17. Representative Chris Lee (M-562) (Support)
18. Natalie Iwasa (M-562) (Oppose)
19. Monica Mclenigan, Sustainable Coastlines Hawaii (General comment)

Councilmember Elefante stated his strong support of the measure. He thanked Councilmember Manahan for introducing the Resolution. Councilmember Elefante noted that it is time to look at a policy relating to single use plastic.

Councilmember Fukunaga stated that there were a wide range of testimonies from a number of restaurants and food suppliers and that she looks forward to working with Chair Waters of the Public Safety and Welfare Committee in addressing the concerns and finding a solution.

Councilmember Manahan thanked councilmembers for supporting and considering the measure. He stated that it is time to take a leadership position on the issue if the Council is serious about the climate crisis in Hawaii. Councilmember Manahan expressed his concern with finding a solution and that he looks forward to more discussion and amendments in Committee.

Councilmember Pine voiced her strong support of the measure. She thanked Councilmember Manahan for introducing the measure. Councilmember Pine stated that from a policy perspective, we need to be bold and fight for our children's future.

Councilmember Elefante noted for the record that he filed Disclosure of Interest Statements with the City Clerk's Office (CC-299, CC-300).

Committee Report 273 was adopted and Bill 40, CD1 passed second reading, as amended.

AYES: ELEFANTE, FUKUNAGA*, KOBAYASHI*, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

*Councilmembers Fukunaga and Kobayashi voted aye with reservations.

Related communications:

MM-114 Office of Climate Change, Sustainability and Resiliency
M-538 Early testimony on Bill 40
M-562 Additional testimony on Bill 40

THIRD READING

BILL 35, CD1 – COMMITTEE REPORT 257

A BILL FOR AN ORDINANCE RELATING TO INTERGOVERNMENTAL AND PRIVATE GRANT AGREEMENTS.

Councilmember Menor moved that Committee Report 257 be adopted and Bill 35 pass third reading, as amended to CD1. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 257 was adopted and Bill 35, CD1 passed third reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communications:

M-539 Early testimony on Bill 35, CD1
M-563 Additional testimony on Bill 35, CD1

THIRD READING

BILL 24, CD2 – COMMITTEE REPORT 265

A BILL FOR AN ORDINANCE RELATING TO CONSTRUCTION INSPECTIONS.

Councilmember Menor moved that Committee Report 265 be adopted and Bill 24, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Waters.

The following individual testified:

William Brizee (M-571) (Support)

Councilmember Pine voiced her strong support of the measure. She thanked Councilmember Kobayashi for introducing the Bill. Councilmember Pine stated that the measure will ensure that affordable housing will be built in a timely manner. She noted that there have been lots of delays in the permitting process and that the measure will be a very big part in solving that problem.

Councilmember Elefante noted for the record that he filed Disclosure of Interest Statements with the City Clerk's Office (CC-287, CC-288).

Committee Report 265 was adopted and Bill 24, CD2 passed third reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

M-540 Early testimony on Bill 24, CD2

M-571 Additional testimony on Bill 24, CD2

THIRD READING

BILL 38, CD2 – COMMITTEE REPORT 271

A BILL FOR AN ORDINANCE RELATING TO LOADING ZONES AND BUS STOPS.

Councilmember Elefante moved that Committee Report 271 be adopted and Bill 38, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Manahan.

The following individual testified:

Robert Finley, Waikiki Transportation Management Special Improvement District
(M-541) (Support)

Councilmember Elefante stated that the Bill sets a process in place to manage loading zones and commercial bus stops in Transportation Management Special Improvement Districts. He asked his colleagues for their support on the measure which is supported by the Waikiki Transportation Management Special Improvement District, the Hawaii Transportation Association, and the Waikiki Neighborhood Board. Councilmember Elefante

thanked the Department of Transportation Services and the Department of Customer Services for their input in the process. He noted that it has been over four decades since the fees were looked at and he believes that this is a great Bill to address the issues on managing the loading and unloading zones in the Waikiki area.

Committee Report 271 was adopted and Bill 38, CD2 passed third reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-541 Early testimony on Bill 38, CD2

FIRST READING

BILL 45

(Public Infrastructure, Technology
and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO WATERSHEDS AND WATER RESERVOIRS.

Councilmember Kobayashi moved that Bill 45 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Ellen Kitamura, Deputy Manager and Chief Engineer, Board of Water Supply (D-624) (Support)
2. Natalie Iwasa (General comment)

Councilmember Tsuneyoshi thanked the Board of Water Supply for being here today. She noted that there have been issues in her district in regards to access ways to watersheds and reservoirs. Councilmember Tsuneyoshi stated that water is very important to life in the City and looks forward to working on the Bill with the Board of Water Supply and other community members to make sure those areas are protected.

Bill 45 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-564 Additional testimony on Bill 45

FIRST READING

BILL 46

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX RELIEF.

Councilmember Kobayashi moved that Bill 46 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 46 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-552 Early testimony on Bill 46

FIRST READING

BILL 47

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR HOMES.

Councilmember Kobayashi moved that Bill 47 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (General comment)

Bill 47 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

FIRST READING

BILL 48

(Parks, Community Services
and Intergovernmental Affairs)

A BILL FOR AN ORDINANCE RELATING TO EXCEPTIONAL TREES.

Councilmember Kobayashi moved that Bill 48 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Winston Welch, The Outdoor Circle (Support)

Bill 48 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Related communication:

M-542 Early testimony on Bill 48

FIRST READING

BILL 49

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kobayashi moved that Bill 49 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (General comment)

Bill 49 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

ADOPTION

RESOLUTION 19-189, CD1 – COMMITTEE REPORT 243

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM MR. JAY SHIDLER.

Councilmember Tsuneyoshi moved that Committee Report 243 and Resolution 19-189, as amended to CD1, be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 243 and Resolution 19-189, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

ADOPTION

RESOLUTION 19-190 – COMMITTEE REPORT 244

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM MR. JAY SHIDLER.

Councilmember Tsuneyoshi moved that Committee Report 244 and Resolution 19-190 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 244 and Resolution 19-190 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ADOPTION

RESOLUTION 19-123 – COMMITTEE REPORT 242

RESOLUTION NAMING THE WAIMANALO BEACH PARK BASEBALL FIELD IN HONOR OF JOE KAPULE, JR.

Councilmember Tsuneyoshi moved that Committee Report 242 and Resolution 19-123 be adopted. Seconded by Councilmember Kobayashi.

RECESS/RECONVENE

At 4:57 p.m., the Chair called for a short recess and reconvened the meeting at 4:58 p.m.

Chair Anderson stated he introduced this Resolution on behalf of the late Joe Kapule, Jr., to honor him for his many contributions to youth softball and youth sports in Waimanalo. He also noted Mr. Kapule's many years of stewardship of the field at Waimanalo Beach Park that he cared for. Chair Anderson asked councilmembers to join him in support of the measure.

There was no public testimony.

Committee Report 242 and Resolution 19-123 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

(Note: Earlier in the meeting, Committee Report 258 and Resolution 19-196, FD1 were adopted. See page 13.)

ADOPTION

RESOLUTION 19-213 – COMMITTEE REPORT 259

RESOLUTION TO RETAIN THE LEGAL SERVICES OF REBECCA COPELAND, ESQ. AS SPECIAL COUNSEL FOR THE HONOLULU POLICE COMMISSION ON BEHALF OF APPELLEE HONOLULU POLICE COMMISSION IN LEGAL ACTIONS ENTITLED 1) CITY AND COUNTY OF HONOLULU, BY THE DEPARTMENT OF THE CORPORATION COUNSEL V. HONOLULU POLICE COMMISSION AND LOUIS M. KEALOHA, CIVIL NO. 19-1-0907-06 JHA (CIR. CT.) AND 2) LOUIS M. KEALOHA V. CITY AND COUNTY OF HONOLULU, AND HONOLULU POLICE COMMISSION, CIVIL NO. 19-1-0913-06 JHA (CIR. CT.)

Councilmember Menor moved that Committee Report 259 and Resolution 19-213 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (Oppose)

Councilmember Waters stated his support with reservations.

Councilmember Tsuneyoshi noted her opposition of the measure.

Councilmember Pine voiced her no vote.

Councilmember Menor clarified that this matter relates to the Council's refusal to utilize City funds to pay for Chief Kealoha's request for legal representation and outside counsel in his criminal case. He noted that the Council appealed the Police Commission's decision that the City should be paying for Chief Kealoha's fees.

Councilmember Pine explained that she voted no because the two City Departments are suing each other and taxpayer money is being used to pay for outside lawyers. She stated that everyone should just settle the case internally and save taxpayer's money.

Councilmember Menor clarified that this is a legal matter and the Council relies on the advice of the City attorneys. He stated that the Council passed a Resolution indicating their disagreement with the Police Commission's decision that the City should be paying for Chief Kealoha's fees for outside counsel and the Corporation Council filed an appeal on behalf of the City challenging the Police Commission's decision. Councilmember Menor stated that if the Resolution is not adopted, the Corporation Council would be representing both the Police Commission and the plaintiff.

Committee Report 259 and Resolution 19-213 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, WATERS*,
ANDERSON – 7.

NOES: PINE, TSUNEYOSHI – 2.

*Councilmember Waters voted aye with reservations.

ADOPTION

RESOLUTION 19-214 – COMMITTEE REPORT 260

RESOLUTION TO RETAIN THE LEGAL SERVICES OF FARM BENEDICT SUGIHARA A LIMITED LIABILITY LAW PARTNERSHIP LLP AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF APPELLANT CITY AND COUNTY OF HONOLULU BY THE DEPARTMENT OF THE CORPORATION COUNSEL IN A LEGAL ACTION ENTITLED CITY AND COUNTY OF HONOLULU BY THE DEPARTMENT OF CORPORATION COUNSEL V. HONOLULU POLICE COMMISSION; LOUIS M. KEALOHA, CIVIL NO. 19-1-0907-06 JHA (CIRCUIT COURT)

Councilmember Menor moved that Committee Report 260 and Resolution 19-214 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (Oppose)

Councilmember Pine noted her no vote. She stated that the Resolution is for the outside attorneys for the other City agency in the same case.

Councilmember Tsuneyoshi stated that for the same reasons noted by Councilmember Pine, she will be voting no.

Councilmember Waters stated his support of the measure with reservations. He noted he understands the conflict but the Corporation Council needs to look at what the taxpayers are paying for.

Committee Report 260 and Resolution 19-214 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, WATERS*,
ANDERSON – 7.
NOES: PINE, TSUNEYOSHI – 2.

*Councilmember Waters voted aye with reservations

ADOPTION

RESOLUTION 19-215 – COMMITTEE REPORT 261

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1800059 TO CONTINUE THE SERVICES OF THE LAW OFFICE OF CARY T. TANAKA, AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT ROBERT JAEGER IN A LEGAL ACTION ENTITLED GORDON J. KNOWLES V. SHERYL SUNIA, ET AL., CIVIL NO. 16-1-1086-6 BIA.

Councilmember Menor moved that Committee Report 261 and Resolution 19-215 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 261 and Resolution 19-215 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ADOPTION

RESOLUTION 19-216 – COMMITTEE REPORT 262

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1900064 TO CONTINUE THE SERVICES OF FARELLA BRAUN & MARTELL LLP AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU FOR MATTERS INVOLVING CRIMINAL LAW.

Councilmember Menor moved that Committee Report 262 and Resolution 19-216 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (Oppose)

Councilmember Tsuneyoshi noted she previously voted in support of the Resolution but would now be voting in opposition. She stated that after learning more details on the issue and the continued issue of paying hefty fees for mainland attorneys, she does not know if this will be the last time or if additional funds will be requested.

Councilmember Waters voiced his support of the measure with reservations.

Committee Report 262 and Resolution 19-216 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, WATERS*,
ANDERSON – 7.

NOES: PINE, TSUNEYOSHI – 2.

*Councilmember Waters voted aye with reservations.

Related communications:

M-544 Early testimony on Resolution 19-216

M-566 Additional testimony on Resolution 19-216

ADOPTION

RESOLUTION 19-172, CD1 – COMMITTEE REPORT 249

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HAWAII STATE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, WORKFORCE DEVELOPMENT COUNCIL.

Councilmember Manahan moved that Committee Report 249 and Resolution 19-172, as amended to CD1, be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 249 and Resolution 19-172, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

ADOPTION

RESOLUTION 19-175 – COMMITTEE REPORT 250

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 250 and Resolution 19-175 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 250 and Resolution 19-175 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ADOPTION

RESOLUTION 19-183 – COMMITTEE REPORT 251

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 251 and Resolution 19-183 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 251 and Resolution 19-183 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ADOPTION

RESOLUTION 19-187 – COMMITTEE REPORT 252

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 252 and Resolution 19-187 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 252 and Resolution 19-187 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

(Note: Earlier in the meeting, Committee Report 253 and Resolution 19-191, CD1, FD1 were adopted. See page 14.)

ADOPTION

RESOLUTION 19-192 – COMMITTEE REPORT 254

RESOLUTION APPROVING THE DISPOSAL BY NEGOTIATED SALE OF SURPLUS BOARD OF WATER SUPPLY REAL PROPERTIES AND REAL PROPERTY INTERESTS FOR THE SUNSET BEACH WELL AND SUNSET BEACH 206' RESERVOIR, SITUATE AT PAUMALU, KOOLAULO, OAHU, HAWAII, BEARING TAX MAP KEYS (1) 5-9-006:009 AND (1) 5-9-006:010.

Councilmember Manahan moved that Committee Report 254 and Resolution 19-192 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Ellen Kitamura, Deputy Manager and Chief Engineer, Board of Water Supply
(D-623) (Support)

Councilmember Tsuneyoshi thanked the Board of Water Supply for their efforts through a very lengthy process, attention to details in the matter, resulting in a very good outcome.

Committee Report 254 and Resolution 19-192 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

ADOPTION

RESOLUTION 19-199 – COMMITTEE REPORT 255

RESOLUTION AMENDING RESOLUTION 17-112, TO INCLUDE VALUATION METHODOLOGIES IN THE SCOPE OF THE OAHU REAL PROPERTY TAX ADVISORY COMMISSION'S SYSTEMATIC REVIEW OF THE CITY'S REAL PROPERTY TAX SYSTEM.

Councilmember Manahan moved that Committee Report 255 and Resolution 19-199 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa, Real Property Tax Advisory Commission (Support)

Councilmember Kobayashi thanked Budget Chair Manahan for passing the Resolution out of Committee. She stated that this will be a very important tool for the Tax Review Commission to continue to do their fine work.

Committee Report 255 and Resolution 19-199 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-551 Early testimony on Resolution 19-199

ADOPTION

RESOLUTION 19-204, CD1 – COMMITTEE REPORT 256

RESOLUTION URGING THE CITY ADMINISTRATION TO ENTER INTO A LEASE OR OTHER AGREEMENT WITH BIKESHARE HAWAII FOR USE OF CITY PROPERTY FOR THE BIKI BIKESHARE PROGRAM.

Councilmember Manahan moved that Committee Report 256 and Resolution 19-204, as amended to CD1, be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Asia Yeary (M-546) (Oppose)

At 5:23 p.m., Chair Anderson left the chambers and Vice-Chair Kobayashi assumed the role of Presiding Officer.

2. Daniel Alexander, Hawaii Bicycling League (M-568) (Oppose)

In response to Councilmember Elefante, Mr. Alexander stated that:

- New Orleans and Minneapolis have very good systems, both of which received start-up costs from the city.
- Philadelphia, Washington, D.C., Austin, Denver, Los Angeles, and San Francisco are either publically owned or receive on-going public subsidies.
- Some companies found electric scooters and electric bikes to be more profitable and have transitioned to that.

At 5:27 p.m., Chair Anderson returned and assumed his duties as Presiding Officer and Vice-Chair Kobayashi returned to her seat.

3. Todd Boulanger, Bikeshare Hawaii – Biki (M-568) (Oppose)

In response to councilmembers, Mr. Boulanger stated that

- Kelvin Tjia, the Chief Executive Officer of Secure Bikeshare Hawaii, was not able to attend the meeting.
- Based on its report, the City chose to contract a non-profit operator who would then contract with a for-profit entity to do the 24/7 maintenance, operations, and customer service. Four entities applied through the Request for Proposal process and Secure was selected as the for-profit operator.
- Biki has been audited by the City. The Form 990 showed that Secure received \$678,774 which was for equipment and operation costs.

- Secure has not made a profit yet but assuming the current trend continues, they believe they will be able to pay off their initial \$5 million loan. Once that is paid off, Bikeshare Hawaii, the non-profit would get 50 percent of any revenue above the cost.
 - Secure has received 80 percent fare box recovery and is paying off about \$1 million a year on their loan.
 - The non-profit receives income based on the sponsorships, donations from local corporations, banks, Hawaiian Electric Company, Hawaii Pacific Health, and Hawaii Medical Service Association to pay for administrative costs.
 - The non-profit does not get any of the fare box recovery, which is used for operations, maintenance, and to pay off the equipment.
 - Any fees or permits is taken care of by the non-profit and has been minimal.
 - If land rental, parking meter space rental, or other fees are increased to a certain level, then they would have to look for other landlords to provide spaces and stations will be spread further apart.
 - The contract with Bikeshare is in the 26th month of a 60 month contract.
 - The role of a non-profit is to successfully create a balance between the City and the for-profit operator.
4. Lisa Bravender (M-568) (Oppose)
5. James Madison (Oppose)

In response to Councilmember Pine, Mr. Madison stated that an increase in rent may discourage Biki from installing additional stations. He feels that this is premature and the Council should wait until Biki expands further.

In response to Mr. Madison, Councilmember Tsuneyoshi stated that she understands the concerns of the riders testifying today but on behalf of the City Council, she noted that there are other City services, such as the Bus, that also have issues. Councilmember Tsuneyoshi stated that this service started out as a pilot project and has become a monopoly, and there are concerns as to why City resources are subsidizing Bikeshare Hawaii.

Mr. Boulanger corrected his earlier comment to say Secure and Bikeshare Hawaii have a 10-year contract because that is when they expect to pay off their initial investment.

Councilmember Tsuneyoshi stated that however long it takes Secure to pay off their investment should not be of concern to the City.

6. Bryan Mick (General comment)

In response to councilmembers, Jon Nouchi, Deputy Director, Department of Transportation Services (DTS) stated that:

- The Department would like to address the issue via Bill 44. He stated that the Bill provides a good framework for future operations and how the City anticipates shared mobility in the City and County of Honolulu.
- DTS would have to look at the current agreement with Biki to determine how the measure would affect them. He stated he could get back to the Council with that information.
- DTS makes the decision on where docking stations are placed. He will work with Councilmember Kobayashi's staff on the complaints from condominium residents with docking stations located where TheHandi-Van drops off customers and street spaces used as drop off locations.
- Councilmember Elefante thanked Councilmember Tsuneyoshi for introducing the measure. He noted that he is a Bikeshare Hawaii user and appreciates the testimony from Todd Boulanger and the other testifiers that were in opposition as well as in support. Councilmember Elefante spoke in opposition to the measure. He stated that a more appropriate venue would be either Bill 43 or Bill 44 for further discussion. Councilmember Elefante noted that there is an Oahu Bike Plan. He voiced his concern for the discussions made and noted that this is another avenue for mobility in terms of zero emission and people being able to go out and exercise. Councilmember Elefante expressed that as the City moves forward, he hopes that one day there will be bikeshare stations in Central Oahu which he represents.
- Councilmember Waters spoke in opposition to the measure and noted that Bikeshare is in the 26th month of a 60-month contract.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-283).

Committee Report 256 and Resolution 19-204, CD1, as amended were adopted.

AYES: FUKUNAGA, KOBAYASHI, PINE, TSUNEYOSHI, ANDERSON – 5.
NOES: ELEFANTE, MENOR, WATERS – 3.
ABSENT: MANAHAN – 1.

Related communications:

M-546 Early testimony on Resolution 19-204, CD1
M-568 Additional testimony on Resolution 19-204, CD1

ADOPTION

RESOLUTION 19-139, CD1 – COMMITTEE REPORT 268

RESOLUTION APPROVING AN APPLICATION FOR A PLAN REVIEW USE PERMIT FOR THE EXPANSION OF THE WOMEN'S COMMUNITY CORRECTIONAL CENTER IN KAILUA.

Councilmember Menor moved that Committee Report 268 and Resolution 19-139, as amended to CD1, be adopted. Seconded by Councilmember Waters.

There was no public testimony.

Committee Report 268 and Resolution 19-139, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

Related communication:

M-547 Early testimony on Resolution 19-139, CD1

ADOPTION

RESOLUTION 19-143, CD1 – COMMITTEE REPORT 269

RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), AS AMENDED BY ORDINANCE 19-3, RELATING TO DETACHED DWELLINGS.

The following amendment was posted on the agenda but not considered:

Resolution 19-143, CD1, Proposed FD1 (OCS2019-0949/8/29/2019 2:14 PM)

The following amendment was handcarried to the meeting:

Resolution 19-143, CD1, Proposed FD1 (OCS2019-0958/9/4/2019 12:20 PM)

Councilmember Menor moved that Committee Report 269 and Resolution 19-143, as amended to CD1, be adopted. Seconded by Councilmember Waters.

Councilmember Kobayashi moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Fukunaga. The FD1 makes the following amendments:

- A. Amends the bill attached to the resolution by amending ROH Section 21-3.70-1(c)(3)(D) to limit the number of bathrooms by dwelling unit (instead of by zoning lot), and to set the maximum number of bathrooms permitted in each dwelling unit at 7 and one 0.5 bathroom (instead of 9 and one 0.5 bathroom).
- B. Makes miscellaneous technical and nonsubstantive amendments.

RECESS/RECONVENE

At 6:15 p.m., the Chair called for a short recess and reconvened the meeting at 6:25 p.m.

The following individuals testified:

1. Tyler Dos Santos-Tam, HI Good Neighbor (M-569) (Support)

In response to Councilmember Kobayashi, Mr. Dos Santos-Tam stated that he understands that something needs to be presented to the Planning Commission and he will look at the Floor Draft again.

2. Sarah Chinen (Oppose)
3. Christine Otto Zaa, HI Good Neighbor (General comment)

In response to Councilmember Kobayashi, Ms. Otto Zaa stated that most monster homes are built with multiple dwellings and they will benefit from the measure.

Councilmember Kobayashi stated that this is going to be a long process which may take over a year. She noted that she will work with Ms. Otto Zaa as they both have the same goals.

In response to councilmembers, Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP) stated that:

- Ordinance 19-3 pertains to residential property only.
- The current Bill limits the number of bathrooms per lot and makes an exemption for cluster lots. It does not govern a lot that falls under a condominium property regime (CPR).
- The bulk and the size of the overall house is governed by the floor area ratio.
- The DPP is committed to enforcing the law.
- As an example, on a 8,000 square foot lot with 2 different units that are connected, each unit could have 7 bathrooms.
- Under the State law, CPR is recognized. The City does not recognize CPR lines as property lines for purposes of zoning administration or building permit issuance.
- The Plumbing Code does not regulate the number of bathrooms or plumbing fixtures. The Code determines what standards are needed, how to put them in and how it functions.
- As a suggestion, if you have a big enough lot and the number of bathrooms is limited, put in two kitchens and then you have two dwelling units and could double number of bathrooms.
- For the person in Kaneohe, she suggested in Committee to subdivide property into separate lots and have a cluster but that was not taken well. People do not want to subdivide because there may be an obligation to upgrade the infrastructure, build roads or put in fire hydrants.

Councilmember Pine stated that based on the discussion, she will be voting in opposition to the measure. She noted that for those that are in opposition, there is a long way to go if it is implemented with checks and balances as it goes through the process to the Planning Commission.

Councilmember Waters spoke in opposition to the measure. He noted that the handcarried draft improves the original measure. Councilmember Waters stated that the measure would still need to go to the Planning Commission and when it comes back he would like to take that opportunity to make the measure stronger to stop monster homes and lower the amount of bathrooms.

Councilmember Elefante stated he will vote in support of the measure with reservations. He noted that he looks forward to input from all stakeholders and thanked Councilmember Kobayashi for introducing the measure and all the discussions.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-304).

Resolution 19-143, CD1 was amended to the handcarried FD1 (OCS2019-0958/9/4/2019 12:20 PM)

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

Committee Report 269 and Resolution 19-143, CD1, FD1 were adopted.

AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MENOR, TSUNEYOSHI, WATERS*, ANDERSON – 7.
NOES: PINE – 1.
ABSENT: MANAHAN – 1.

*Councilmembers Elefante and Waters voted aye with reservations.

Related communications:

M-548 Early testimony on Resolution 19-143, CD1
M-569 Additional testimony on Resolution 19-143, CD1

ADOPTION

RESOLUTION 19-171 – COMMITTEE REPORT 274

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM MR. SAL MIWA.

Councilmember Waters moved that Committee Report 274 and Resolution 19-171 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 274 and Resolution 19-171 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-177 – COMMITTEE REPORT 275

RESOLUTION ACCEPTING A GIFT TO THE CITY CRIMESTOPPERS HONOLULU, INC.

Councilmember Waters moved that Committee Report 275 and Resolution 19-177 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 275 and Resolution 19-177 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-179 – COMMITTEE REPORT 276

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE NATIONAL FALLEN FIREFIGHTERS FOUNDATION (NFFF).

Councilmember Waters moved that Committee Report 276 and Resolution 19-179 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 276 and Resolution 19-179 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-197 – COMMITTEE REPORT 279

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE DEPUTIES.

Councilmember Waters moved that Committee Report 279 and Resolution 19-197 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 279 and Resolution 19-197 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-208 – COMMITTEE REPORT 280

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM DUDEK.

Councilmember Waters moved that Committee Report 280 and Resolution 19-208 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 280 and Resolution 19-208 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-188, CD1 – COMMITTEE REPORT 277

RESOLUTION URGING THE FEDERAL AVIATION ADMINISTRATION TO MORE EFFECTIVELY REGULATE AIR HELICOPTERS AND SMALL COMMERCIAL AIRCRAFT OPERATIONS ON OAHU.

Councilmember Waters moved that Committee Report 277 and Resolution 19-188, as amended to CD1 be adopted. Seconded by Councilmember Tsuneyoshi.

The following individuals testified:

1. Dan Brown (M-549) (Support)
2. Lani Blissard (M-570) (Support)
3. Michelle Matson (M-570) (Support)

Committee Report 277 and Resolution 19-188, CD1 as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

Related communications:

D-622 Neighborhood Board No. 18
D-629 Neighborhood Board No. 5
M-549 Early testimony on Resolution 19-188, CD1
M-570 Additional testimony on Resolution 19-188, CD1

ADOPTION

RESOLUTION 19-193, FD1 – COMMITTEE REPORT 278

RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE HONOLULU POLICE DEPARTMENT TO APPLY FOR AN TO ENTER INTO AN AGREEMENT WITH THE BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE, FOR FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FY 2019 LOCAL SOLICITATION.

The following amendment was posted on the agenda:

Resolution 19-193, Proposed FD1

Councilmember Waters moved that Committee Report 278 and Resolution 19-193 be adopted. Seconded by Councilmember Tsuneyoshi.

Councilmember Waters moved that the Resolution be amended to FD1. Seconded by Councilmember Tsuneyoshi. The FD1 makes the following amendments:

- A. Attaches the Edward Byrne Memorial Justice Assistance Grant Program FY 2019 Allocations and Application Information as Exhibit A.
- B. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 19-193 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

Committee Report 278 and Resolution 19-193, FD1, were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

BALANCE OF COMMITTEE REPORTS

[EMLACR-263](#)

Request for authorization to settle a case against the City and County of Honolulu entitled James J. Baginski v. City and County of Honolulu, Civil No. CV17-00108 ACK-WRP (USDC).

[EMLACR-264](#)

Request for authorization to settle a case against the City and County of Honolulu/Honolulu Police Department entitled Gabriel M. Delapenia v. City and County of Honolulu, Honolulu Police Department, Hawaii Civil Rights Commission No. 19278.

[ZHCR-270](#)

[Resolution 19-161](#) – Granting a Special Management Area (SMA) Use Permit to allow the development of eight dwelling units on the site. Granting a 90-day extension of time. (Applicant: CJ Group, LLC) (Deadline 9/10/19 + 90 days)

Councilmember Kobayashi moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MANAHAN – 1.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 19-210

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ASSOCIATION OF LOCAL GOVERNMENT AUDITORS.

Councilmember Kobayashi moved that Resolution 19-210 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-210 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MANAHAN – 1.

ADOPTION

RESOLUTION 19-212

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM RAILVOLUTION.

Resolution 19-212 was waived to the Council floor by the Chair of the Committee on Transportation.

Councilmember Kobayashi moved that Resolution 19-212 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-212 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MANAHAN – 1.

Related communication:

CC-293 Councilmember Brandon Elefante

ADOPTION
RESOLUTION 19-217

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM DELIVERY ASSOCIATES, ACTING ON BEHALF OF BLOOMBERG PHILANTHROPIES AMERICAN CITIES CLIMATE CHALLENGE.

Councilmember Kobayashi moved that Resolution 19-217 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-217 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
 WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

ADOPTION
RESOLUTION 19-219

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE BRITISH CONSULATE GENERAL, MIAMI.

Councilmember Kobayashi moved that Resolution 19-219 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-219 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TSUNEYOSHI,
 WATERS, ANDERSON – 8.
NOES: None.
ABSENT: MANAHAN – 1.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 7:17 p.m., Councilmember Kobayashi moved that the Council stand adjourned until Wednesday, October 9, 2019, at 10 a.m. at Kapolei Hale. Seconded by Councilmember Fukunaga and there being no objections from the 8 members present (Absent: Manahan – 1), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

October 9, 2019